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October 22, 2003

Mark West
42910 SE 149th St.
North Bend, WA 98045

In re application of:
Mark West DECISION ON PETITION
Serial No.: 09/683,907
Filed: February 28, 2002
For: SYSTEM AND METHOD FOR ATTACHING
UN-FORGEABLE BIOMETRIC DATA TO ETAL

This is a decision on the petition received on July 17, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts mailed on March 13, 2002. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned May 14, 2002.

On July 17, 2003, the office received a communication from the applicant of record. Enclosed was an acknowledgement that the applicant never received the Notice to File Missing Parts mailed on March 13, 2002.

The above application remains abandoned.

The applicant is given **two months** from the date of this petition to comply to the below requirements to revive the above-identified application.

1. A change of address notice is needed.
2. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
3. A surcharge fee of \$65.00 for filing a late declaration.
4. A fee of \$650.00 to Revive and unintentionally abandoned application.

-2-

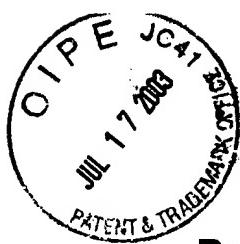
A balance of \$715.00 and the above-required items are needed to revive the above-identified application.

Enclosed is a copy of the Notice to File Missing Parts mailed March 13, 2002 and several forms to help with the filing requirements.

Telephone inquiries concerning this matter may be directed to Doshie E. Day (703) 308-3640.



Doshie E. Day
Program Management Assistant
Office Initial Patent Examination



03 CO 4

Petition to the Commission to Revise

TO: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FR: Mark West
42910 SE 149th St
North bend, WA 98045
Customer Number: 31023

RE: Petition to revise abandonment of 09/683,907

Mr. or Ms. Commissioner:

Please consider revising the status of my patent from abandoned to re-activated. Apparently the patent was abandoned by the USPTO after I failed to respond to a notice of a missing declaration, however; I never received the notice in question. I do not know how it came to pass that I did not receive the notice, but I assure you that I did not.

This being my first patent and being that I filed this myself due to limited funds I must admit that I am not fluent on the timelines and exact procedures that are involved, so please consider that if it appears that I have been neglectful or tardy in my handling of this matter, I assure you that I have been patiently waiting to hear from the USPTO and did not suspect that anything was amiss.

When I finally did contact your office recently I was informed that the patent was abandoned due to a lack of response from me. I am including a check for \$130 which I was told was the required fee for a petition to revise. I am an independent software developer with low funds and worked extremely hard on this patent and the associated software, please consider re-activating the patent.

- Mark West

Please type a plus sign (+) inside this box →

Approved for use through 6/30/99. OMB 0651-0035
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS <i>Application</i> Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Application Number	
	Filing Date	
	First Named Inventor	
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	

Please change the Correspondence Address for the above-identified application to: <input type="checkbox"/> Customer Number <input type="text"/> → <i>Type Customer Number here</i>		<i>Place Customer Number Bar Code Label here</i>
<input type="checkbox"/> Firm or Individual Name Address Address City <input type="text"/> State <input type="text"/> ZIP <input type="text"/> Country Telephone <input type="text"/> Fax <input type="text"/>		
This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).		
I am the : <input type="checkbox"/> Applicant. <input type="checkbox"/> Assignee of record of the entire interest. Certificate under 37 CFR 3.73(b) is enclosed. <input type="checkbox"/> Attorney or agent of record .		
Typed or Printed Name <input type="text"/> Signature <input type="text"/> Date <input type="text"/>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/683,907	02/28/2002	Mark Brian West	

31023
MARK WEST
5819 SMOKE GLASS TRAIL
DALLAS, TX 75252

CONFIRMATION NO. 9244
FORMALITIES LETTER



OC000000007626080

Date Mailed: 03/13/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)		Attorney Docket Number
		First Named Inventor
COMPLETE IF KNOWN		
<input type="checkbox"/> Declaration Submitted with Initial Filing		Application Number
OR		Filing Date
<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)		Group Art Unit
		Examiner Name

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) as United States Application Number or PCT InternationalApplication Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number _____
 or Bar Code Label _____ OR Correspondence address below

Name _____

Address _____

City _____

State _____

ZIP _____

Country _____

Telephone _____

Fax _____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) _____Family Name
or Surname _____Inventor's
Signature _____

Date _____

Residence: City _____

State _____

Country _____

Citizenship _____

Mailing Address _____

City _____

State _____

ZIP _____

Country _____

NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) _____Family Name
or Surname _____Inventor's
Signature _____

Date _____

Residence: City _____

State _____

Country _____

Citizenship _____

Mailing Address _____

City _____

State _____

ZIP _____

Country _____

Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

[Page 2 of 2]